

State of Breastfeeding Coverage: Health Plan Violations of the Affordable Care Act

Key Findings

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In a new study, the National Women's Law Center (NWLC) found that women are not getting coverage of breastfeeding benefits as required by the Affordable Care Act (ACA). While millions of women across the country are already benefiting from the law, insurance companies are not complying with the ACA, and federal guidance falls short of what women need.

Some Insurers Limit Coverage in Ways That Violate the ACA

- NWLC reviewed coverage offered on health insurance marketplaces in 15 states and collected stories from women through the CoverHer hotline.
- This research identified three major trends in insurance plan non-compliance:
 - Some plans impose restrictions and limitations on breastfeeding support and supplies that explicitly violate the ACA or undermine the intent of the law;
 - Some plans do not have a network of lactation providers and are not following clear federal rules that allow women to obtain preventive services, including breastfeeding benefits, out-of-network, at no cost-sharing; and
 - Some plans impose major administrative barriers or offer insufficient coverage that prevents women from obtaining timely breastfeeding support and adequate equipment, as the ACA intended.
- This research also details other problems with the implementation of the ACA's breastfeeding benefit, such as plans limiting coverage to a manual pump, which is permitted by federal guidance but is a huge barrier to some women breastfeeding successfully.

Denying Women This Coverage Has a Very Real Impact

The ACA's breastfeeding benefits remove the cost barriers associated with breastfeeding support and equipment and give women the tools they need to breastfeed successfully, for as long as they want. However, because insurance companies are not following the law, women are not getting breastfeeding benefits as required by the ACA. When insurers fail to comply with the ACA's breastfeeding requirements, some women will be forced to forgo this important health service—which has health implications for women and infants.

Plans, States, And The Federal Government Must Act Now To Ensure That The Full Potential Of The ACA's Breastfeeding Benefit is Fulfilled

- Insurance companies must closely examine their policies to ensure they comply.
- State and federal agencies must enforce the ACA, as they review and approve insurance companies' plans and as they handle consumer complaints.
- The federal government must engage stakeholders and reexamine coverage standards so that coverage better meets women's needs.

Women who face barriers to breastfeeding benefits can contact the NWLC CoverHer Hotline at 1-866-745-5487 or coverher@nwlc.org. For more information about the ACA's breastfeeding benefits or for resources, visit www.nwlc.org/breastfeeding.